

DECLARATORY

Improvement Res. No. 954 - 1956

For the vacation of the east sixty-seven hundredths (0.67) ft. of Clay Street from the north property line of the first alley north of Berry Street to a point seventy-five (75) feet north.

Resolution Adopted:

Nov. 27, 1956

Confirmed:

Dec. 27, 1956

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Comfirmed:

March 21, 1957

954

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of the east sixty-seven hundredths (0.67) ft. of Clay Street from the north property line of the first alley north of Berry Street to a point seventy-five (75) feet north.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the east sixty-seven hundredths (0.67) ft. of Clay Street from the north property line of the first alley north of Berry Street to a point seventy-five (75) feet north, more particularly described as follows: (See attached sheet)

MODIFIED - Dec. 27, 1956 to read as follows: For the vacation of the east one and four tenths (1.4) feet of Clay Street from the north property line of the first alley north of Berry Street to the south right-of-way line of the New York, Chicago and St. Louis Railroad.

All as shown by a plan of such proposed ~~Opening~~ Vacation ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lot No. 4, Taber's Addition and the City of Fort Wayne, Indiana. Said addition is inclusive to the City of Fort Wayne, Indiana.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by ^{SAID} above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental^S thereof.

~~The vacation of the above described Street and alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the southwest quarter of Section One, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 27th DAY OF November 19 56

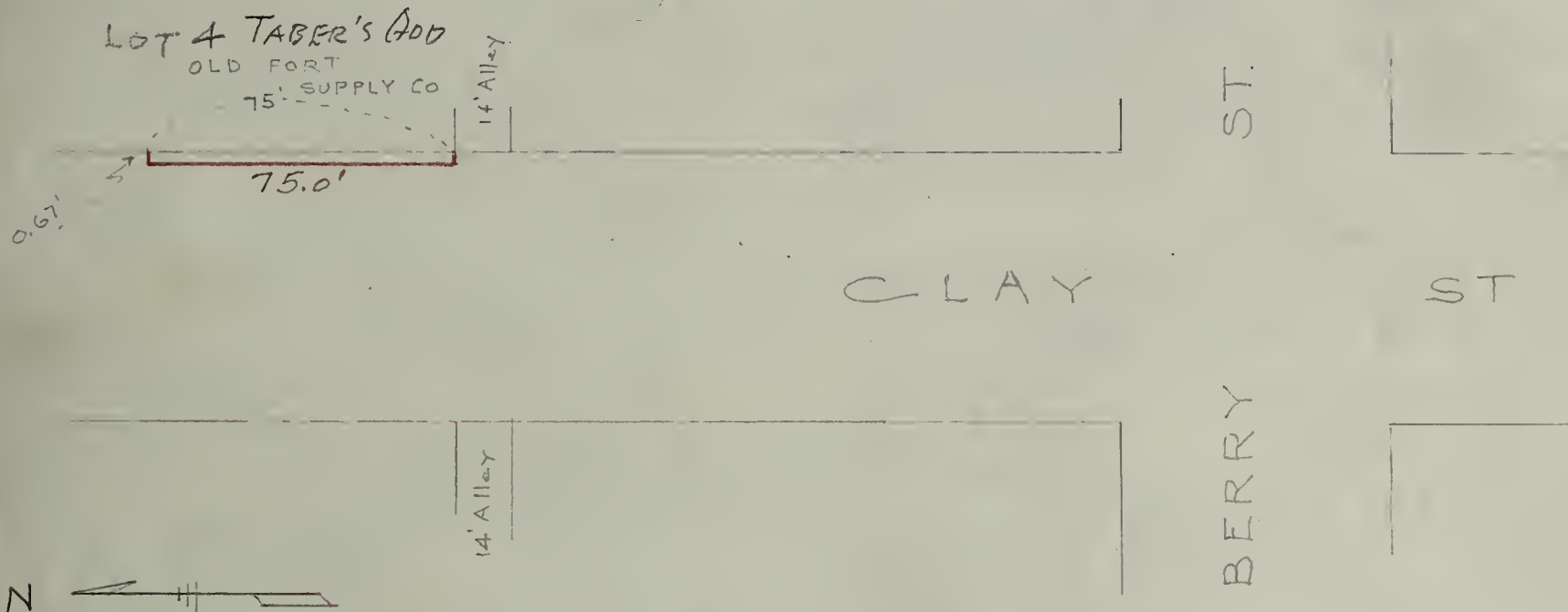
Attest: Luella M. Grier
Secretary Board of Pub'g Works.

Clerk & Secy.

Don M. Warkins
Board of Public Works.

Trust in the description

Beginning at the point of intersection of the Easterly property line of Clay St. and the Northerly property line of the 14' dedicated alley which is approximately 163 feet Northerly from the North property line of Berry St. extending 90 degrees Westward a distance of 0.67 feet, thence Northerly 90 degrees and paralleling the East property line of Clay St. a distance of 75 feet, thence 90 degrees Easterly a distance of 0.67 feet there meeting the said East property line of Clay St. being a portion of the dedication of Clay St. and containing 50.25 sq. ft.



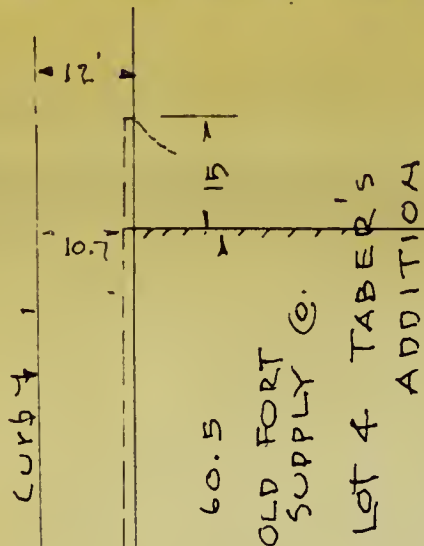
*Wm D. Brown
Aug 16 - 1916*

OFFICE OF **A. K. HOFER** AND **CARL A. HOFER**
CIVIL ENGINEER-FORT WAYNE CIVIL ENGINEER, ASSOCIATE

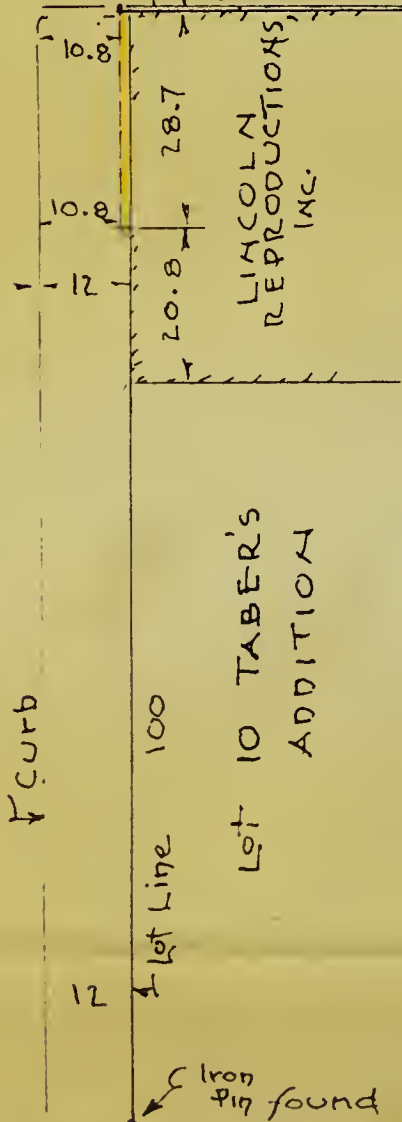
Registered in Indiana
No. 72
No. 7122

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as here-in noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated; all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY ~~XXXXXX~~ **An easement right of occupancy by an encroaching foundation and wall structure of the building of the Old Fort Supply Company, upon and over a portion of the public street, known as Clay Street in the City of Fort Wayne, as in particular described as follows, to wit:**
Commencing at the southwest corner of Lot Number 4 in the plat as recorded of Taber's Addition to the City of Fort Wayne; thence running northwesterly along the west line of said lot, a distance of 76.0 feet; thence southwestward on a line normal to the line aforesaid, a distance of 1.3 feet; thence southeastward a distance of 76.0 feet to a point situated on the south line, produced southwestward, of the said lot, at a distance of 1.6 feet from the place of beginning; thence north-eastward on the aforesaid line, as produced a distance of 1.6 feet to the place of beginning; containing 110.2 square feet.



An easement right of occupancy by an encroaching foundation and wall structure of the building of Lincoln Reproductions, Inc., upon and over a portion of the public street, known as Clay Street in the City of Fort Wayne, as in particular described as follows, to wit:
Commencing at the northwest corner of Lot Number 10 in the plat as recorded of Taber's Addition to the City of Fort Wayne; thence running southeasterly along the west line of said lot, a distance of 29.2 feet; thence southwestward on a line normal to the aforesaid line, a distance of 1.2 feet; thence northwesterly on a line parallel to the aforesaid lot line, a distance of 29.2 feet to the north line, produced southwestward, of the said lot; thence northeastward along the aforesaid line, as produced, a distance of 1.2 feet, to the place of beginning; containing 35.04 square feet.



E. BERRY ST.

[Signature]

City of Fort Wayne



2

OFFICE OF
CITY ENGINEER
C. R. MCANLIS

FORT WAYNE 2, INDIANA

September 13, 1956

Description For Easement. (Old Fort Supply Company)

Beginning at the southwest corner of Lot No. 4, Taber's Addition to the City of Fort Wayne, Indiana; thence west a distance of sixty-seven hundredths (0.67) ft; thence north on a line parallel to the west property line of said Lot No. 4 a distance of seventy-five (75.0) feet; thence east a distance of sixty-seven hundredths (0.67) feet to the west property line of said Lot No. 4; thence south on the west property line of said Lot No. 4, to the point of beginning; Containing ~~50~~ square feet more or less.

50.25

Very truly Yours,

A handwritten signature in cursive script, reading "C.R. McAnlis".

C.R. McAnlis
City Engineer

Date December 14, 1956

To: Board of Public Works

Subject:

Subject: Declaratory Res. #954. Vacating the east sixty-seven hundredths (0.67) feet of Clay Street from the north property line of the first alley north of Berry Street to a point seventy-five (75) feet north.

No water facilities affected by the above Resolution.

R. C. Kreckman
R. C. Kreckman
WATER ENGINEERING DEPARTMENT

RCM:m

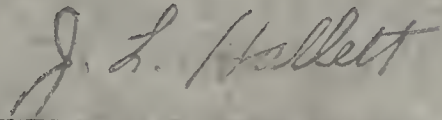
Nov. 27, 1956

Mr. C. R. McAnlis, City Engineer

Prepare Property Owner List

954 - Which provides for the Vacation of the east sixty-seven hundredths (0.67) ft. of Clay Street from the north property line of the first alley north of Berry Street to a point seventy-five (75) feet north.

Yours truly,



J. L. Hallett, Secretary

JLH:c

For **AMERICAN** Welded Wire Fabric

CALL

954

J. P. FARRELL
AMERICAN STEEL & WIRE DIVISION
UNITED STATES STEEL CORPORATION
5801 Crittenden Ave. Indianapolis 20, Ind.
Phone: Clifford 5-8660

FOR THE VACATION OF THE
EAST ONE AND FOUR TENTHS
(1.4) FEET OF CLAY STREET
FROM THE NORTH PROPERTY
LINE OF THE FIRST ALLEY
NORTH OF BERRY STREET
TO THE SOUTH RIGHT-OF-WAY
LINE OF THE NEW YORK,
CHICAGO AND ST. LOUIS
RAILROAD.

MODIFIED DESCRIPTION

AMERICAN STEEL & WIRE

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

Date Dec. 27, 1956

To Mr. D. C. Morin, City & Adm. Engineer

Subject Assessment Roll

You are hereby requested to prepare ASSESSMENT ROLL of BENEFITS & DAMAGES for Dec. Res. No. 954 - for the vacation of the east sixty-seven hundredths (0.67) ft. of Clay St. from the north property line of the first alley north of Berry St. to a point seventy-five (75) ft. north. (\$1.00 Benefit, \$1.00 Damages) as MODIFIED.

[Signature]
[Signature]
[Signature]
BOARD OF PUBLIC WORKS

Signed c

Reply: COMPLETED

Signed DEB

SENDER: REMOVE & KEEP 2ND COPY — RECEIVER: ANSWER KEEP 3RD COPY & RETURN 1ST COPY TO SENDER.

DECLARATORY

Improvement Resolution No. 954-1956 For Improving THE VACATION OF THE EAST SIXTY-SEVEN HUNDREDTHS(0.67) FT. OF CLAY STREET FROM THE NORTH PROPERTY LINE OF THE FIRST ALLEY NORTH OF BERRY
STREET TO A POINT SEVENTY-FIVE (75) FEET NORTH.

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
1	OLD FORT SUPPLY CO.	709 Clay St.		4			TABER'S ADDITION
2	NEW YORK, CHICAGO AND ST. LOUIS RAILROAD	City Hall					
3	CITY OF FORT WAYNE	City Hall					
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954 - 12-6-56

